

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ECOBEE, INC.,

Plaintiff,

v.

ECOFACITOR, INC.,

Defendant.

C.A. No. 21-323-MN

JURY TRIAL DEMANDED

JOINT MOTION TO DISMISS WITH PREJUDICE

WHEREAS, Plaintiff ecobee, Inc. (“ecobee”) and Defendant EcoFactor, Inc. (“EcoFactor”) have resolved all claims and counterclaims in this action.

NOW, THEREFORE, EcoFactor and ecobee, through their attorneys of record, request that the Court dismiss all claims and counterclaims in the above-captioned action with prejudice, and without right of appeal, pursuant to Rules 41(a)(2) and 41(c) of the Federal Rules of Civil Procedure, with each party to bear its own costs, expenses, and attorneys’ fees.

Dated: December 28, 2023

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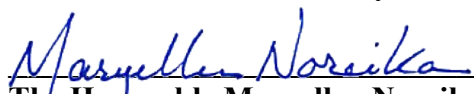
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SO ORDERED this 3rd day of January 2024.



The Honorable Maryellen Noreika
United States District Judge